

Date: June 5, 2014

TO: THE MUNCIE BAR ASSOCIATION AND THE
GENERAL PUBLIC

NOTICE OF PROPOSED LOCAL COURT RULE AMENDMENT DELAWARE CIRCUIT COURT

The Delaware County Board of Judges pursuant to Trial Rule 81(B) give notice of their proposed amendment to the Local Rule Regarding **Allocation and Assignment of Cases, LR18-AR00-DLR-0052** of Delaware County. New language is indicated by underlining and deleted language is indicated by ~~striking through~~. These local rules do require Supreme Court approval, being effective after review of any comments on July 1, 2014.

Comments regarding the proposed amendments must be received by July 7, 2014 and may be submitted in writing to:

Honorable Thomas A. Cannon Jr., Presiding Judge
Delaware Circuit Court No. 5
c/o Lana L. Scroggins, Court Administrator
100 W. Washington Street
Muncie, IN 47305
or by email to: lscroggins@co.delaware.in.us

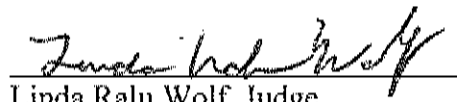
DELAWARE COUNTY BOARD OF JUDGES



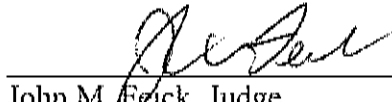
Marianne Vorhees, Judge
Delaware Circuit Court No. 1



Kimberly S. Dowling, Judge
Delaware Circuit Court No. 2



Linda Ralu Wolf, Judge
Delaware Circuit Court No. 3



John M. Feick, Judge
Delaware Circuit Court No. 4



Thomas A. Cannon Jr., Presiding Judge
Delaware Circuit Court No. 5

LR18-AR00-DLR-0052
Allocation and Assignment of Cases

1. That the Clerk of Delaware County, upon direction of a transfer of any case holding a judgment, garnishment, bail bond, or otherwise, shall within said transfer, perfect the necessary changes to provide for the efficient and accurate accounting of all payments made toward any judgment rendered, including, but not limited to, garnishment payments made through a garnishee defendant, the release of judgments, bail bonds or other matters pertaining to said original cause and the transfer therein. In the perfection of the within Order, the Clerk shall notify interested parties to the action and the garnishee defendant.

Circuit Court No. 1

Criminal: The following case numbers shall be used for crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (class A felony), FB (class B felony), FC (class C felony), FD (class D felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Murder, or A, B, C Felonies or D Felonies. The following case numbers shall be used for crimes committed on or after July 1, 2014: F1 (Level 1 felony); F2 (Level 2 felony); F3 (Level 3 felony); F4 (Level 4 felony); F5 (Level 5 felony); F6 (Level 6 felony). MC (Miscellaneous Criminal), and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5 and 6 felonies.

Civil: PL (Civil Plenary), CC (Civil Collection), CT (Civil Tort), DR (Domestic Relations), MF (Mortgage Foreclosure), AD (Adoption), MI (Miscellaneous - excluding tax sales), ES, EU, GU, TR (Probate), PO (Protective Orders) .

Circuit Court No. 2

Criminal: The following case numbers shall be used for crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (class A felony), FB (class B felony), FC (class C felony), FD (class D felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Murder, or A, B, C Felonies or D Felonies. The following case numbers shall be used for crimes committed on or after July 1, 2014: F1 (Level 1 felony); F2 (Level 2 felony); F3 (Level 3 felony); F4 (Level 4 felony); F5 (Level 5 felony); F6 (Level 6 felony). MC (Miscellaneous Criminal), and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5 and 6 felonies.

Juvenile: JP (Juvenile Paternity), JD (Juvenile Delinquency), JS (Juvenile Status), JM (Juvenile Miscellaneous), JC (Juvenile CHINS), JT (Juvenile Termination)

Civil: PL (Civil Plenary), CC (Civil Collection), CT (Civil Tort), DR (Domestic Relations), MF (Mortgage Foreclosure), AD (Adoption), MI (Miscellaneous - excluding tax sales), RS (Reciprocal Support), PO (Protective Orders) .

Circuit Court No. 3

Criminal: The following case numbers shall be used for crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (class A felony), FB (class B

felony), FC (class C felony), FD (class D felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Murder, or A, B, C Felonies or D Felonies. The following case numbers shall be used for crimes committed on or after July 1, 2014: F1 (Level 1 felony); F2 (Level 2 felony); F3 (Level 3 felony); F4 (Level 4 felony); F5 (Level 5 felony); F6 (Level 6 felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5 and 6 felonies.

Civil: PL (Civil Plenary), CC (Civil Collection), CT (Civil Tort), DR (Domestic Relations), MF (Mortgage Foreclosure), AD (Adoption), MI (Miscellaneous - excluding tax sales), MH (Mental Health), PO (Protective Orders) .

Circuit Court No. 4

Criminal: The following case numbers shall be used for crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (class A felony), FB (class B felony), FC (class C felony), FD (class D felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Murder, or A, B, C Felonies or D Felonies. The following case numbers shall be used for crimes committed on or after July 1, 2014: F1 (Level 1 felony); F2 (Level 2 felony); F3 (Level 3 felony); F4 (Level 4 felony); F5 (Level 5 felony); F6 (Level 6 felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5 and 6 felonies.

City and Town Courts: Any criminal cases transferred from Muncie City Court or Yorktown Town Court may be filed in the Division of the Circuit Court that holds the highest pending felony charge, regardless of when the misdemeanor crime was allegedly committed.

If no felony cases are pending against the Defendant the misdemeanor will be filed in the Delaware Circuit Court No. 4 or No. 5 under the following rotation schedule:

- Circuit Court No. 4: January, March, May, July, September and November;
- Circuit Court No. 5: February, April, June, August, October, and December.

A “pending” case is a case not yet disposed of by guilty plea, jury trial, bench trial, bench disposition, or dismissal.

Juvenile: NONE

Civil: PL (Civil Plenary), CC (Civil Collection), CT (Civil Tort), DR (Domestic Relations), MF (Mortgage Foreclosure), AD (Adoption), MI (Miscellaneous - excluding tax sales) PO (Protective Order), SC (Small Claims)

Circuit Court No. 5

Criminal: The following case numbers shall be used for crimes committed on or before June 30, 2014: Felonies, which include MR (Murder), FA (class A felony), FB (class B felony), FC (class C felony), FD (class D felony), MC (Miscellaneous Criminal), and

misdemeanors in conjunction with Murder, or A, B, C Felonies or D Felonies. The following case numbers shall be used for crimes committed on or after July 1, 2014: F1 (Level 1 felony); F2 (Level 2 felony); F3 (Level 3 felony); F4 (Level 4 felony); F5 (Level 5 felony); F6 (Level 6 felony), MC (Miscellaneous Criminal), and misdemeanors in conjunction with Levels 1, 2, 3, 4, 5 and 6 felonies.

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- Circuit Court No. 5: February, April, June, August, October, and December.

A “pending” case is a case not yet disposed of by guilty plea, jury trial, bench trial, bench disposition, or dismissal.

Juvenile: NONE

PL (Civil Plenary), CC (Civil Collection), CT (Civil Tort), DR (Domestic Relations), MF (Mortgage Foreclosure), AD (Adoption), MI (Miscellaneous – INCLUDING tax sales), PO (Protective Order), SC (Small Claims), ES, EU, GU, TR (Probate)

2. Assignment of cases as heretofore set out will continue to be subject to all Local Rules regarding non-discretionary assignment of felony and misdemeanor cases.
3. Assignment of cases, effective January 1, 2007, the Clerk of Delaware County shall perfect the following limitation of filings:
 - a. (MF) Mortgage Foreclosure: 100 each court, and then commence again (i.e. when each court has 100 foreclosures, then the limitation will begin again until reached with 200, and etc.)
 - b. (CC) Civil Collections: 200 each court, and then commence again (i.e. when each court has 200 Civil Collections, then the limitation will begin again until reached with 400, and etc.)
 - c. (DR) Domestic Relations: 100 each court, and then commence again (i.e. when each court has 100 Domestic relations, then the limitation will begin again until reached with 200 and etc.)
 - d. (PO) Protective Orders: 100 each court, and then commence again (i.e. when each court has 100 Protective Orders, then the limitation will begin again until reached with 200, and etc.)

c. (MI) Miscellaneous: 75 each court, and then commence again (i.e. when each court has 75 Miscellaneous, then the limitation will begin again until reached with 150, then, etc.) Exception: Circuit Court No. 5 will receive all Tax Sale filings regardless of count.